

WORCESTER, ss.

Chapter 7

WESTBOROUGH SPE LLC,

Debtor.

4. **Complexity of Issues:** The disputes in this case involve complex legal and factual issues, including the valuation of the Property, competing claims from various creditors, and the allocation of proceeds. Mediation is well-suited to address such complexities in a structured and facilitated environment.
5. **Potential for Settlement:** Mediation offers a forum for the parties to explore potential settlements in a non-adversarial setting. Given the detailed terms of the Offer of Judgment,

mediation could help bridge any remaining gaps between the parties and lead to a resolution without further litigation.

6. **Judicial Economy:** Resolving the disputes through mediation would conserve judicial resources by potentially avoiding multiple hearings and motions that would otherwise be required to address the parties' differences. Mediation could expedite the resolution of this case, which is in the best interest of all parties involved.

III. REQUEST FOR RELIEF

WHEREFORE, Creditor respectfully requests that the Court:

1. Enter an order directing all relevant parties, including the Town of Westborough, the Trustee, Ferris Development Group, LLC, Lax Media LLC, and other creditors, to participate in mediation to resolve the disputes concerning the sale and distribution of the Property;
2. Appoint a mediator with experience in bankruptcy and real estate matters, or alternatively, allow the parties to mutually agree on a mediator;
3. Set a deadline for the completion of the mediation process;
4. Order that the mediation process specifically address the terms outlined in the Offer of Judgment submitted by Creditor on August 12, 2024, including the sale of the Property, the financial distribution of sale proceeds, compensation for Ferris Development Group, interim distribution, and abandonment and assignment of legal actions; and
5. Grant such other and further relief as the Court deems just and proper.

DATED: August 13, 2024, Respectfully submitted:

By creditor,



Lolonyon Akouete
800 Red Milles Rd
Wallkill NY 12589
info@smartinvestorsllc.com
(443) 447-3276

CERTIFICATE OF SERVICE

I, Lolonyon Akouete, hereby certify that the above document is served by email and mailing a copy of the same, first-class mail, to the following:

Stephen F. Gordon, Attorney of the Petitioners
(Email: sgordon@gordonfirm.com)
The Gordon Law Firm LLP
River Place 57 River Street Wellesley, MA 02481

Scott A. Schlager on behalf of,
Nathanson & Goldberg, P.C., a creditor.
(Email: sas@natgolaw.com)
183 State Street, 5th Floor Boston, MA 02109

Assistant U.S. Trustee
Richard King
Office of US. Trustee
446 Main Street 14th Floor
Worcester, MA 01608
USTPRegion01.WO.ECF@USDOJ.GOV

Jonathan R. Goldsmith
Chapter 7 Trustee
trusteedocs1@gkalawfirm.com
Goldsmith, Katz & Argenio P.C.
1350 Main Street, 15th Floor.
Springfield, MA 01103

Dyann Blaine
20 Queensbrook Place
Orinda, CA 94563
dyann.blaine@gmail.com

Jan Blaustein Scholes
7501 E Thompson Peak Pkwy
Scottsdale, AZ 85255
jan.scholes2@gmail.com

Mark S. Lichtenstein
AKERMAN LLP
1251 Avenue of the Americas, 37th Flr.
New York, New York 10020
mark.lichtenstein@akerman.com

Paul W. Carey, Attorney of Creditor
FERRIS DEVELOPMENT GROUP, LLC
(Email: pcarey@mirickoconnell.com)
Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street, Worcester, MA 01608

Brian W. Riley, Attorney of Creditor
Jeffrey T. Blake, Attorney of Creditor
Roger L. Smerage, Attorney of Creditor
TOWN OF WESTBOROUGH
(Email: briley@k-plaw.com)
(Email: jblake@k-plaw.com)
(Email: rsmerage@k-plaw.com)
KP Law, P.C. 101 Arch Street,
12th Floor Boston, MA 02110

Gary M Ronan
David M Abromowitz
Goulston&storrs
GRonan@goulstonstorrs.com
DAbromowitz@goulstonstorrs.com
400 Atlantic Avenue
Boston, MA 02110

Peter Blaustein
950 Vista Road
Hillsborough, CA 94010
pblaustein@gmail.com

Walter Horst
Babcock & Brown
1264 Rimer Drive
Moraga, CA 94556
walter.horst@babcockbrown.com

Samual A. Miller, Esq.
AKERMAN LLP
420 South Orange Avenue
Suite 1200
Orlando, FL 32801
samual.miller@akerman.com
sharlene.harrison-carera@akerman.com



Lolonyon Y Akouete